



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twenty Second day of January Two Thousand Sixteen

PRESENT

The Hon`ble Ms.Justice V.M.VELUMANI

CRL OP(MD) No.16172 of 2015

MANUVEL JOEL

... PETITIONER/ACCUSED - 1

Vs

THE STATE OF TAMILNADU
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
NAGERCOIL,
KANYAKUMARI DISTRICT.
CRIME NO. 27 OF 2015

... RESPONDENT/COMPLAINANT

For Petitioner : M/S.S.XAVIER RAJINI Advocate
For Respondent : MR.P.KANNI THEVAN, Govt. Advocate (Crl. Side)
For Intervenor : MR.G.ARAVINTHAN, Advocate

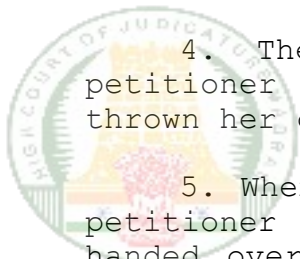
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who is arrayed as accused No.1, in Crime No.27 of 2015 on the file of the respondent police, apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 498(A), 406 and 506(i) of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act and hence, seeks anticipatory bail.

2. The case of the prosecution is that the marriage between the petitioner and the defacto complainant was solemnized on 17.09.2007. At the time of marriage, the parents of the defacto complainant gave 95 sovereigns of gold jewels, house hold articles worth about Rs.3,00,000/- to the defacto complainant and a sum of Rs.2,00,000/- as dowry to the petitioner. The defacto complainant's mother gave four houses in the name of the defacto complainant. After marriage, the petitioner and the defacto complainant were living together in the matrimonial home along with his parents at Coimbatore. The petitioner is working as a Manager in the Axis Bank and he was transferred from Coimbatore to Bangalore. The petitioner pressurized the defacto complainant to sell the house given by her mother. The defacto complainant refused to sell the house. The defacto complainant pledged 45 sovereigns of gold jewels and gave a sum of Rs.6,00,000/- to the petitioner for constructing a house at Bangalore. The petitioner demanded more dowry and tortured the defacto complainant and thrown her out from the matrimonial home.

3. The case of the petitioner is that the petitioner is working as a senior Manager in the Axis Bank at Bangalore. The petitioner never demanded any money and he is innocent and he has not committed any offence as alleged by the prosecution. The defacto complainant was home sick and therefore, she left the matrimonial home voluntarily and the petitioner's parents and brother are residing at Coimbatore and they have not demanded any dowry from the defacto complainant.



4. The learned counsel for the Intervenor submitted that the petitioner demanded more dowry and tortured the defacto complainant and thrown her out from the matrimonial home.

5. When the matter was taken up for hearing on 04.01.2016, both the petitioner and the defacto complainant were present and the petitioner handed over 142.04 grams of gold jewels to the defacto complainant and the same has been received by her. Today, when the matter is taken up for hearing, the petitioner handed over six items of properties, total weight of 185.100 grams and the defacto complainant received the same without prejudice to her rights and it is open to the parties to agitate before the appropriate Court for their relief.

5. The learned Government Advocate (Criminal Side) submitted that the investigation is pending.

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner, with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **(*) Judicial Magistrate No.II, Nagercoil, Kanyakumari District** and on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police as and when required for interrogation. The petitioner shall comply with the conditions stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sd/-

22/01/2016

**(*)Amended as per the order of
the Court date 10.02.2016 by PNPJ
made in MP(MD)No.2/2015 in
Crl.OP(MD)No.16472/2015
and the time for surrender is extended
by 15 days from the date of receipt
of amended copy of the order.**

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

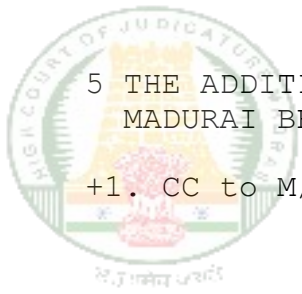
(*)1 THE JUDICIAL MAGISTRATE NO.II, NAGERCOIL, KANYAKUMARI DISTRICT.

2 THE JUDICIAL MAGISTRATE NO.I, NAGERCOIL, KANYAKUMARI DISTRICT.

2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANYAKUMARI DISTRICT AT NAGERCOIL.

<https://hcservices.ecourts.gov.in/hcservices/>

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, NAGERCOIL,
KANYAKUMARI DISTRICT.



5 THE ADDITIONAL PUBLIC PROSECTUOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. CC to M/S.S.XAVIER RAJINI Advocate SR.No.8264

WEB COPY

ORDER

IN

CRL OP(MD) No.16172 of 2015

Date :22/01/2016

PS

CSL/JGB-DP/SAR-I/28.01.2016/2P/7C

RG.SK-SKN/SAR-I 12.02.2016 3P:7C